

## UNITED STATES DISTRICT COURT

for the

District of MontanaHelena DivisionJonathan Andrew Petletto  
AKA

Jonathan Andrew Klein Rubenowitz-Petletto

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint.  
If the names of all the plaintiffs cannot fit in the space above,  
please write "see attached" in the space and attach an additional  
page with the full list of names.)

-v-

Case No. 

(to be filled in by the Clerk's Office)

Correctional Officer Paul Cooper

Defendant(s)

(Write the full name of each defendant who is being sued. If the  
names of all the defendants cannot fit in the space above, please  
write "see attached" in the space and attach an additional page  
with the full list of names. Do not include addresses here.)

## AMENDED COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner)

## NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

## I. The Parties to This Complaint

### A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

*Jonathan Andrew Perfetto*All other names by which  
you have been known:*Jonathan Andrew Klein Rabinowitz-Perfetto*

ID Number

*30227186*

Current Institution

*Montana State Prison*

Address

*700 Conley Lake Rd.**Deer Lodge**MT**59722-8711*

City

State

Zip Code

### B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

*Eric Cooper*Job or Title (*if known*)*Corrections Officer*

Shield Number

*Unknown*

Employer

*Montana State Prison*

Address

*700 Conley Lake Rd.**Deer Lodge**MT**59722*

City

State

Zip Code

Individual capacity  Official capacity

Defendant No. 2

Name

*N/A*Job or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code

Individual capacity  Official capacity

## Defendant No. 3

Name N/AJob or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code

 Individual capacity  Official capacity

## Defendant No. 4

Name N/AJob or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code

 Individual capacity  Official capacity**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

 Federal officials (a *Bivens* claim) State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?  
*First and Fourteenth Amendments to the United States Constitution*

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

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D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

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### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- Pretrial detainee
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Other (*explain*)

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### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.  
*WIA*

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B. If the events giving rise to your claim arose in an institution, describe where and when they arose.  
*SEE ATTACHED*

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C. What date and approximate time did the events giving rise to your claim(s) occur?

*See attached*

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D. What are the facts underlying your claim(s)? (For example: *What happened to you? Who did what?*

*Was anyone else involved? Who else saw what happened?*)

*See attached.*

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## V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

*Not Applicable*

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## VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

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SNB

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Amended Statement of Claim  
With Legal Memorandum

1. On or about July 5, 2019, defendant Corrections Officer FNU Cooper inventoried the plaintiff's possessions as he was placed ~~at~~ in Prehearing Confinement in the Special Adjustment Unit pending investigation for a PREA Complaint.
2. On or about July 8, 2019, the plaintiff was reclassified from Minimum 1 to Max Level 3 custody temporarily until his PREA investigation was completed.
3. When the plaintiff received his allowed property, his legal tote with approximately 1100 documents for Perfetto v. Marc Jason, et. al. case no. 17-cv-556-AT in United States District Court - District of New

Hampshire; United States Court of Appeals for

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The First Circuit Case No. 18-1124, affirmed

October 2, 2019; two flat folders of about 500

documents (Court filings, letters to counsel and

research for brief) Perfetto v. Celia Englander, MD

Case No. 217-2016-cv-00366 in Merrimack County

Superior Court, New Hampshire Supreme Court Case no. 2018-

5,735 documents in three boxes  
0442 and affirmed on or about June 23, 2019; and

Perfetto v. Helen Hanks, Commissioner New Hampshire

Department of Corrections case no. 16-cr-473-SM in

United States District Court - District of New

Hampshire.

4. The Perfetto v. Marc Cusson, et al. case alleged

(1)

detoxing from the following medications: Risperadol - an

antipsychotic, (2) Tegretol - a mood stabilizer (3)

Pristiq and Pro - an antidepressant and (4) Bispar-

an anxiolytic and (5) Depo Provera a drug

for sex offenders (chemical castration), resulting

in loss of appetite and sleep, irritability and a

hypomanic episode that lasted three-and-a-half

months; as well as losing a lawsuit due to the

statute of limitations expiring that alleged false

arrest. (See *Pedutto v. New Hampshire Department*

*of Corrections, Commissioner, et al.* 14-cv-case no.

14-cv-481-T) in United States District Court

District of New Hampshire for filing a false PREA

report in October 2008 and was found consensual in

May 2009; even though an inmate cannot consent to

Page 3 of 5

sexual activity.

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5 The false arrest lawsuit was sent to

Hillsborough County Superior Court in Manchester, New

Hampshire sometime in November 2009, while at

Hillsborough County Jail and wanted to mail it

certified, but was denied, even though the plaintiff

had funds in his account and that court never received it.

Dr. Celia

6 The Perfetto v. Englander case alleged medical

negligence in that on August 17, 2009, the plaintiff was

rushed to Concord Hospital with 107.4 fever from

having MRSA in his blood that caused sepsis. Two

weeks prior Dr. Celia Englander diagnosed him with

Cellulitis

6 Perfetto v. Helen Banks, Commissioner, New Hampshire

Deficit Department of Corrections case is the

plaintiff's criminal appeal that alleged ineffective  
assistance of counsel.

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### Request For Relief

1. The plaintiff seeks \$23,500 in Compensation  
for Damages (500 pages of original copies and  
the  
research for Perfetto v. Celia Englander, MD case  
@ \$75/document (self-made paralegal fee).

2. Finally, the plaintiff seeks \$75,000 in punitive  
damages for a grand total \$98,500.

**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act (“PLRA”), 42 U.S.C. § 1997e(a), requires that “[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.”

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes

No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Montana State Prison

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

Yes

No

Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

Yes

No

Do not know

If yes, which claim(s)?

Loss of legal take (only claim)

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes

No

E. If you did file a grievance:

1. Where did you file the grievance?

*While in the Special Adjustment Unit*

2. What did you claim in your grievance?

*That C. Cooper - who inventoried my property - lost or misplaced my legal tote*

3. What was the result, if any?

*Administrative First level. At First level not answered*

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

*Filed second level and was improperly not processed. Not processed grievances cannot be appealed.*

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:  
*Not applicable*

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

*Not Applicable*

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. *The second level grievance was not processed as I signed waiver of liability. My ideology was I'm only max custody temporarily and would report the legal issue missing when housed in my new unit, which I did on 10/29 or 30/19.*

*Wrote in error, corrected on separate page*  
(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

### VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

Yes

No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

S&W

G. Per Montana State Prison's grievance policy, when a first level grievance ~~is~~ is not ~~within~~ answered within twenty business days, the person answering the ~~grievance~~ grievance has an addition five business days to answer.

If not answered in twenty-five business days, I may file ~~a~~ a second level grievance within five business days and attach the pink "my copy" copy of the first level grievance.

My ~~Informal~~ first level grievance was filed on ~~7~~ July 25, 2019. This means I should have gotten a response by September 1, 2019. I filed my second level grievance on September 5, 2019 which is within five business days. The second level grievance was improperly "Not Processed as untimely" by Grievance Coordinator Mack Lockette.

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes

No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Jonathan Andrew Pachetto

Defendant(s) Correctional Officer FNU Cooper

2. Court (if federal court, name the district; if state court, name the county and State)

Deer Lodge District Court Powell County Montana

3. Docket or index number

DV-22-64

4. Name of Judge assigned to your case

Unknown

5. Approximate date of filing lawsuit

July 22, 2022

6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition.

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

still pending

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Yes No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Jonathan Andrew Petrelle

Defendant(s) Bruce Catell, Warden New Hampshire State Prison, et.al.

continued on separate sheets of paper

2. Court (if federal court, name the district; if state court, name the county and State)

United States District Court District of New Hampshire

3. Docket or index number

06-cv-307-SM

4. Name of Judge assigned to your case

Steve McAuliffe

5. Approximate date of filing lawsuit

November 5, 2006

6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition

June 20, 2009

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?) Dismissed, appealed and affirmed

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- i. Corrections Officer FNU Ash
- ii. Corrections Officer FNU Fedele
- iii. Corrections Dany Charter
- iv. Corrections Officer FNU Mayer
- v. Corrections Officer John Doe
- vi. Sergeant FNU Bell
- vii. Sergeant FNU Washburn
- viii. Unit Manager FNU Billdeaux
- ix. Case Counselor/Case Manager Robert McGrath
- x. Corporal FNU O'Brien
- xi. Correctional Officer Michaud
- xii. Corporal FNU Brown
- xiii. Correctional Officer Marsh
- xiv. Correctional Officer FNU Edsil
- xv. Correctional Officer FNU Wheeler
- xvi. Sergeant FNU Edmark
- xvii. Unit Manager FNU Moquin
- xviii. Corporal FNU Gauthier
- xix. Correctional Officer FNU Parent
- xx. Correctional Officer Isabelle
- xxi. Correctional Officer FNU Flynn
- xxii. Field Training Officer FNU Isman
- xxiii. Corporal FNU Valente
- xxiv. Corrections Officer FNU Parent
- xxv. Corrections Officer FNU Leitner

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XXVI. Corporal FNU Mosher

XXVII. Corrections Officer FNU Mallette

## Second Lawsuit

i. Parties to Previous Lawsuit

ii. Plaintiff(s): Jonathan Andrew Perfetto

Defendant(s) Superintendent James O'Mara

ii. Assistant Superintendent Dave Dionne

iii. Field Training Officer FNU Ellis

iv. Corrections Officer FNU Lucas

v. Corrections Officer FNU Gowell

vi. Corrections Officer FNU Goodyear

vii. Corrections Officer FNU Price

viii. Corrections Officer FNU Sappianza

ix. Corrections Officer FNU Garelding

x. Lieutenant FNU Boyer

xi. Chief of Security Captain Gifford Hiscox

xii. Chief of Operations Captain Marc Cusson

xiii. Medical Administrator Denise Ryan

xiv. Medical Director Bill Fuller

xv. Dr. FNU Tumball

xvi. Dr. Matthew Masewic

xvii. Lieutenant FNU Robbins

xviii. Sergeant FNU Brown

xix. Lieutenant FNU Reilly

xx. Corrections Officer FNU Plompton

XXI. Field Training Officer FNU Mackay  
XXII. Mental Health Clinician Christine  
Melnick  
XXIII. Corrections Officer John Doe  
XXIV. Field Training Officer John Doe  
XXV. Sergeant John Doe  
XXVI. Mail Clerk Jane Doe X  
XXVII. Walter Alexis  
XXVIII. Paul Dimmick

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2. Court

United States District Court - District of  
New Hampshire

3. Docket or index number

12-cv-393-JLB 14-cv-556-AJ

4. Name of Judge assigned to the case

Joseph B. Plante & Andrea Johnstone

5. Approximate date of filing lawsuit

October 12, 2012 & December 26, 2014

6. Is the case still pending

No

If no, give the approximate date of disposition

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Oct 2, 2019

7. What was the result of the case?

~~Dismiss~~ RLUIPA claim settled, withdrew staff assault claim. All other claims dismissed and appealed. This was affirmed

Third lawsuit

1. Parties in previous lawsuit

Plaintiff(s): Jonathan Andrew Perleto

Defendant(s): New Hampshire Department of Corrections Commissioner

ii. New Hampshire State Prison Investigations Bureau

iii. New Hampshire State Police

2. Court

United States District Court - District of New Hampshire

3. Docket or index number

14-cv-481-TJ

4. Name of Judge assigned to your case

Joseph DiClerico

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5. Approximate Date of filing lawsuit  
December 12, 2014

6. Is the Case still pending?  
No

If no, give the approximate date of  
disposition  
February 3, 2015

7. What was the result of the case?

Dismissed at the statute of limitations  
expired, I did not appeal

Forth Lawsuit.

I. Parties to the previous lawsuit

Plaintiff(s) Jonathan Andrew Perello

Defendant(s) Commissioner William Weir

ii. Commissioner Designee Christopher H.  
Kench

iii. Classifications Director Kim LaCasse

iv. Former Medical and Forensics Services  
Director Helen Hanks

v. Former Northern New Hampshire

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- vi. Correctional Facility Warden Ed Reilly
- vii. Northern New Hampshire Correctional Facility Chief of Security FNU Lamberton
- viii. Northern New Hampshire Correctional Facility Shift Commander Lieutenant FNU Bolla
- ix. Northern New Hampshire Correctional Facility Lieutenant FNU ~~Beth~~ Masse
- x. Northern New Hampshire Correctional Facility Corporal John Doe
- x. Northern New Hampshire Correctional Facility Sergeant John Doe
- xii. Northern New Hampshire Correctional Facility Correctional Officer John Doe
- xiii. Northern New Hampshire Correctional Facility Corrections Facility Officer Jane Doe
- xiv. Northern New Hampshire Correctional Facility Hearings Officer FNU Estelle
- xv. Northern New Hampshire Correctional Facility Case Counselor/CASE Manager Angela Watson
- xvi. Northern New Hampshire Correctional Facility Case Counselor/CASE Manager Sue Pennington
- xvii. New Hampshire State Prison Warden

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Richard Gemy  
XVII. New Hampshire State Prison Chief Of Security Tom Faubus

XVIII. New Hampshire State Prison Reception & Diagnostics Unit Manager Kathleen Anderson

XIX. New Hampshire State Prison Lieutenant John Morris

XX. New Hampshire State Prison Hearings Officer FNU Hickman

XI. Special Housing Unit Captain Ron Gagliardi

XII. Special Housing Unit Joe Michael

XXII. New Hampshire State Prison Sergeant FNU Marshall

XXIV. New Hampshire State Prison Corporal Scott Towers

XXV. New Hampshire State Prison Corporal Craig Orlando

XXVI. New Hampshire State Prison Correctional Officer FNU Nemonouski

XXVII. New Hampshire State Prison Correctional Officer FNU Welch

XXVIII. New Hampshire State Prison Correctional Officer FNU Aulis

XXIX. New Hampshire State Prison Case Counselor/Case Manager Tara Whiting

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XXX. Secure Psychiatric Unit Administrator  
Kevin Stevenson

XXXI. Secure Psychiatric Unit Manager  
Paul S. Cascio

XXXII. Secure Psychiatric Unit Sergeant FNU  
Brown

XXXIII. Secure Psychiatric Unit Sergeant Eric  
Barbosa

XXXIV. Secure Psychiatric Unit Corporal  
Stacie LaMontagne

XXXV. Secure Psychiatric Unit Corporal FNU  
Coreless

XXXVI. Secure Psychiatric Unit Sergeant FNU  
Carter

XXXVII. Secure Psychiatric Unit Corporal FNU  
Fleury

XXXVIII. Secure Psychiatric Unit Corporal FNU  
Kimball

XXXIX. Secure Psychiatric Unit Property Officer  
Jeff Dionne

XI. Secure Psychiatric Unit Correctional  
Officer FNU Murray

XII. Secure Psychiatric Unit Correctional  
Officer FNU Densmore

XIII. Secure Psychiatric Unit Correctional  
Officer FNU Bernstein

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xliii. New Hampshire State Prison

Physician Celia Englander

xlii. New Hampshire State Prison Health  
Services Officer Center Nurse Chris  
LNU

xliii. Former New Hampshire State Prison  
Physician John Eppolito

xlii. New Hampshire Secure Psychiatric Unit  
Correctional Officer Ed Kiscaine

Street:

2. Court

United States District Court - District  
of New Hampshire

3. Docket or index number

15-cv-244-JL

4. Name of Judge assigned to the Case  
Joseph LaPlante

5. Approximate Date of Filing Lawsuit  
April 14, 2015

6. Is the case still pending?

No

If no, give the approximate date of  
disposition

December 30, 2015

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7. What was the result of the case

All claims except my medical claim  
was dismissed. The medical claim was  
dismissed without prejudice to refile  
in state court of competent jurisdiction

Fifth lawsuit

1. Parties to the previous lawsuit

Plaintiff(s): Jonathan Andrew Perfetto

Defendant(s): William E. Bennett, Sr.

1. Jacqueline A. Bennett

2. Court

United States District Court - District of  
New Hampshire

3. Docket or index number

15-cv-345-PB

4. Name of Judge assigned to the case

Paul Barbadora

5. Approximate date of filing lawsuit

July 15, 2015

6. Is the case still pending

No

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If no, indicate the approximate date of  
disposition

December 29, 2015

7. What was the result of the case?

Dismissed for lack of jurisdiction. I  
did not appeal

## Sixth Lawsuit

1. Parties to previous lawsuit

Plaintiff(s): Jonathan Andrew Peretto

Defendant(s): Secure Psychiatric Unit

Unit Manager Paul S. Cascio

i. Secure Psychiatric Unit Sergeant FNU  
Brown

ii. Secure Psychiatric Unit Sergeant Eric  
Barbosa

iv. Secure Psychiatric Unit Sergeant FNU  
Coxier

v. Secure Psychiatric Unit Corporal Stacie  
LaMontagne

vi. Secure Psychiatric Unit Corporal FNU  
Coxless

vii. Secure Psychiatric Unit Corporal FNU  
Flexsey

viii. Secure Psychiatric Unit Corporal FNU  
Kimball

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ix. Secure Psychiatric Unit Correctional Officer FNU Bernstein

x. Secure Psychiatric Unit Correctional Officer Ed Rincaine

xi. New Hampshire State Prison Canteen Officer FNU Stroope

xii. New Hampshire State Prison Canteen Supervisor Ed Hager

xiii. New Hampshire State Prison Warden Richard Geary

xiv. New Hampshire Department of Corrections Commissioner Designee Director Chris Kench

2. Court

Merrimack County Superior Court  
New Hampshire

3. Docket or index number

2015-cv-05397

4. Name of Judge assigned to case  
Varied

5. Approximate date of filing lawsuit

July 27, 2015

6. Is the case still pending

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No.

If no give the approximate date of disposition

September 30, 2016

7. What was the result of the case?

Case was dismissed for lack of prosecution.

Seventh lawsuit

1. Parties to previous lawsuit

Plaintiff(s): Jonathan Andrew Perfetto

Defendant(s): Celia Englander, MD

2. Court

Rockingham County Superior Court, New Hampshire

3. Docket or index number

2016-CV-06366

4. Name of Judge assigned to the case

Varies

5. Approximate date of filing lawsuit

June 10, 2016

6. Is the case still pending?

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No

If no, give the approximate date of disposition

June 21, 2018

7. What was the result of the case

Dismissed as statute of limitations expired I appealed and was affirmed

Eighth lawsuit

1. Parties to the previous lawsuit

Plaintiff(s): Jonathan Andrew Pefetto

Defendant(s): New Hampshire Department of Corrections Commissioner, Helen Hanks

ii. Former New Hampshire Department of Corrections Commissioner William Wenn

iii. New Hampshire Department of Corrections Director Christopher H. Kench

iv. New Hampshire Department of Corrections Special School District Principal Eric Davis

v. New Hampshire Department of Corrections Special School District Director Kim McKay

vi. Medical and Forensics Services Director Paula Mattis

vii. Medical and Forensics Services Deputy Director Heidi B. Guinnan

vii

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viii. New Hampshire State Prison Interstate

Compact Coordinator Jane Doe

ix. Secure Psychiatric Unit Unit Manager  
Captain FNU Marshal

x. Secure Psychiatric Unit Acting  
Lieutenant Eric Pashore

xi. Secure Psychiatric Unit Sergeant FNU  
Carver

xii. Secure Psychiatric Unit Corporal FNU  
Murray

xiii. Secure Psychiatric Unit Corporal Stacie  
LaMontagne

xiv. Secure Psychiatric Unit Nursing Supervisor  
Ann-Marie LNU

xv. Secure Psychiatric Unit Administrator Debbie  
Robinson

xvi. Residential Treatment Unit Mental Health  
Clinician Lindsey Jordan

xvii. Former New Hampshire State Prison Warden  
Michael Zenk

xviii. New Hampshire State Prison Unit Manager  
Robert McGrath

xix. New Hampshire State Prison Lieutenant  
Tim Brown

xx. New Hampshire State Prison Corporal Mark  
Kimball

xxi. New Hampshire State Prison Corporal FNU  
Katzovil

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xxii. New Hampshire State Prison Captain

FNU Edmark

xxiii. New Hampshire State Prison

Corporal John / Jane Doe

xxiv. New Hampshire State Prison Guard

Williams

xxv. New Hampshire State Prison Sergeant FNU

Bettens

xxvi. New Hampshire State Prison Sergeant

FNU Wilcox

xxvii. New Hampshire State Prison Corrections

Officer FNU LaMontagne

xxviii. New Hampshire State Prison Librarian John

Perkins

xxix. Career & Technology Programs Director

Jay Nagy

xxx. New Hampshire State Prison Case

Coordinator/Case Manager Glen Matthews

xxxi. New Hampshire State Prison Case Coordinator

Case Manager Joseph Irozivary

xxxii. New Hampshire State Prison Medical

Records Director Traci Guillemette

xxxiii. New Hampshire State Prison Medical Records

Clark John / Jane Doe

xxxiv. Montana State Prison Medical Records Clerk

Amy B FNU

xxxv. New Hampshire State Prison Inmate Accounts

Clark Jane Doe

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XXXVI. New Hampshire State Prison Offender

Records Clerk Cindy Crompton

XXXVII. New Hampshire State Prison

Offender Records Clerk FNU Drury

XXXVIII. New Hampshire State Prison

Offender Records Clerk John / Jane

Doe X2

XXXIX. New Hampshire State Prison

Warehouse Supervisor John / Jane Doe

XL. Former New Hampshire Correctional Facility Michelle Goings

XLI. Northern New Hampshire Correctional Facility Chief of Security Tom Smith

XLII. Northern New Hampshire Correctional Facility Lieutenant

John / Jane Doe

XLIII. Northern New Hampshire Correctional Facility Sergeant FNU Scott

XLIV. Northern New Hampshire Correctional Facility Housing Officer FNU Foster

XLV. Northern New Hampshire Correctional Facility Medical Specialist Angela Berlin

XLVI. Northern New Hampshire Correctional Facility Programs Administrator John / Jane Doe

XLVII. Northern New Hampshire Correctional Facility Psychiatrist Dr. Garrett Graves

XLVIII. Northern New Hampshire Correctional

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Facility Mental Health Clinician Charlene  
Nickerson

xlix. Montana Department of Corrections

Director Reginald Michael

to Montana Department of Corrections

Warden Lyn Guyer

2. Court

New Hampshire Department of Corrections  
United States District Court - District  
of New Hampshire

3. Docket or index number

18-cv-554-SE

4. Name of Judge Assigned to case

Samuel Ha D. Elliott

5. Approximate Date of Filing Lawsuit

June 13, 2022

6. Is the case still pending?

Yes

7. What was the result of the case

Still Active

Ninth Lawsuit

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1. Parties to Previous lawsuit

Plaintiff(s): Jonathan Andrew Pedutto

Defendant(s): New Hampshire Residential

DisTreatment Unit Sergeant FNU

Wilcox

ii. New Hampshire State Prison Corporal

FNU Mark Kimball

iii. New Hampshire State Prison Corporal

FNU Kratovil

2. Court

United States District Court - District  
of New Hampshire

3. Docket or index number

20-cv-525-SM

4. Name of Judge assigned to the case

Stephen McAuliffe

5. Approximate date of filing lawsuit

May 3, 2020

6. Is the case still pending?

Yes

7. What was the result of the case?

This lawsuit was severed from 18-cv-554

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SE during preliminary review on April 27, 2020 and is waiting preliminary review

Tenth Plaintiff

1. Parties to the previous lawsuit

Plaintiff(s) Jonathan Andrew Perello

Defendant(s) New Hampshire State Prison and  
for Secure Psychiatric Unit John/Jane Doe

ii. New Hampshire State Prison and/or Secure  
Psychiatric Unit Medical Provider John/Jane  
Doe

In Court

United States District Court - District of  
New Hampshire

3. Docket or index number

20-cv-526-JD

4. Name of Judge assigned to case

~~This lawsuit was severed from 18-cv-554~~

~~SE during preliminary review on April 27, 2020~~

~~and is waiting preliminary review~~

Joseph DiClerico

5. Approximate Date of Filing lawsuit

May 3, 2020

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6. Is the case still pending?

Yes

7. What was the result of the case?

This lawsuit was severed from 18-cv-554-SE during preliminary review on April 27, 2020 and is awaiting preliminary review

Eleventh lawsuit

1. Parties to previous lawsuit

Plaintiff(s): Jonathan Andrew Perfetto

Defendant(s): Northern New Hampshire

Correctional Facility Psychiatrist Dr. Garrett  
Groves

ii. Northern New Hampshire Correctional  
Facility Mental Health Clinician Charlene  
Nickerson

2. Court

United States District Court - District of  
New Hampshire

3. Docket number or index number

20-cv-5257-JL

4. Name of Judge assigned to case

Joseph LaPlante

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5. Approximate date of filing lawsuit  
May 3, 2022

6. Is the case still pending?  
Yes

7. What was the result of the case?

This lawsuit was severed from 18-cv-554-SE during preliminary review on April 27, 2022 and is awaiting preliminary review.

Twelfth lawsuit

i. Parties to previous lawsuit

Plaintiff(s): Jonathan Andrew Perfetto

Defendant(s): Northern New Hampshire

Correctional Facility, Media Specialist, Angel  
Podlin

ii. Northern New Hampshire Correctional Facility

Captain ENU Smith

iii. Northern New Hampshire Correctional  
Facility ENU Sweet

ii. Court

United States District Court, District of  
New Hampshire

3. Docket or index number

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20-cv-528-PB

4. Name of Judge assigned to this case  
Paul Butabarán

5. Approximate date of filing lawsuit  
May 3, 2020

6. Is the case still pending?  
Yes

7. What was the result of the case

This lawsuit was severed from 18-cv-547-SE  
during preliminary review on April 27, 2020 and  
is awaiting preliminary review

Thirteenth lawsuit

1. Parties of previous lawsuit

Plaintiff(s) Jonathan Andrew Battelle

Defendant(s) Case Counselor/Case Manager  
Christine Bump

ii. Legal Counsel for the State of New Hampshire  
Department of Corrections John/Jane Doe

iii. New Hampshire State Prison Interstate  
Compact Coordinator John/Jane Doe

iv. ~~De~~ New Hampshire Department of Corrections  
Parole Board Member Horace F. Enriquez

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v. New Hampshire State Prison Education

Director Laura Hardwick

vi. New Hampshire Department of Corrections

Director Christopher H. Rench

vii. Case Caseworker/Case Manager Joseph  
Tirziany

viii. New Hampshire Department of Corrections

Medical and Forensics Services Director  
Paula Mattis

ix. New Hampshire Department of Corrections  
Commissioner Helen Hanks

x. New Hampshire Department of Corrections  
Parole Board Member Roger Phillips

xi. New Hampshire Department of Corrections  
Parole Board Member Jennifer Sargent

2. Court

United States District Court - District of  
New Hampshire

3. Docket or index number

22-cv-128-JL

4. Name of Judge assigned to case

Joseph LaPlante

5. Approximate date of filing lawsuit

April 21, 2022

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5. Is the case still pending?

Yes

7. What was the result of the case?

Waiting preliminary review

Faux & tenth lawsuit

i. Parties to previous lawsuit

Plaintiff(s): Jonathan Andrew Perfecto  
Defendant(s): Residential Treatment  
Unit Mental Health Clinician Linsey  
Jordan

ii. Severe Psychiatric Unit Administrator  
Debbie Robinson

iii. New Hampshire Department of  
Corrections Medical and Forensic  
Services Park Mottis

2. Court

Concord District Court Merrimack  
County NH New Hampshire

3. Docket or index number

don't recall

4. Name of Judge assigned to case

Do not recall

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5. Approximate date of filing lawsuit  
September 13, 2020

6. Is the case still pending  
No

If no, give the approximate date of  
resolution

December 20, 2020

7. What was the result of the case

The case was dismissed due to I  
should have filed a claim using the New  
Hampshire Department of Corrections  
claims process. I did not appeal

Fifteenth lawsuit.

1. Parties to the previous lawsuit

Plaintiff(s): Jonathan Andrew Feltz

Defendant(s): Montana State Prison Sergeant

Thomie McDonald

2. Deer Lodge District Court Powell County

Montana

3. Docket or index number

DV-22-07

4. Name of Judge Assigned to case  
Unknown as I have not had a hearing  
scheduled

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5. Approximate date of filing lawsuit  
April 14, 2022

6. Is the case still pending?  
Yes

7. What was the result of the case?  
Waiting a court date

## IX. Certification and Closing

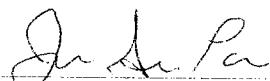
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: October 20, 2022

Signature of Plaintiff



Printed Name of Plaintiff

Jonathan Andrew Perfetto

Prison Identification #

3CZ2186

Prison Address

700 Conley Lake Rd

Deer Lodge

MT

59722

City State Zip Code

### B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address